

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

v.

RAFFERTY DANIEL KELLY,

Defendant.

Case No. 1:24-CR-246

UNDER SEAL

INDICTMENT

November 2024 Term at Alexandria, Virginia

COUNT 1

(Receipt of Child Pornography)

THE GRAND JURY CHARGES THAT:

Between on or about December 14, 2021, and February 21, 2022, in the Eastern District of Virginia, the defendant, RAFFERTY DANIEL KELLY, did knowingly receive and attempt to receive at least one visual depiction using a means and facility of interstate and foreign commerce, and which visual depiction(s) had been transported in and affecting interstate and foreign commerce, by any means including by computer, and the production of such visual depiction(s) involved the use of a minor engaging in sexually explicit conduct and such visual depiction(s) were of such conduct.

(All in violation of Title 18, United States Code, Section 2252(a)(2), (b)(1).)

COUNT TWO
(Possession of Child Pornography)

THE GRAND JURY FURTHER CHARGES THAT:

Between in or about January 2020 and in or about March 29, 2022, in the Eastern District of Virginia, the defendant, RAFFERTY DANIEL KELLY, did knowingly possess and attempt to possess at least one matter containing at least one visual depiction, that had been transported using a means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, and which visual depiction(s) were produced using materials which had been mailed and so shipped and transported, by any means including by computer, and the production of such visual depiction(s) involved the use of a minor engaging in sexually explicit conduct and such visual depiction(s) were of such conduct, to wit: videos and images depicting minors engaging in sexually explicit conduct, at least one of which is different from the images in Count One above and depicts a prepubescent minor or a minor who had not attained 12 years of age engaging in such conduct.

(All in violation of Title 18, United States Code, Section 2252(a)(4)(B),(b)(2).)

FORFEITURE NOTICE

THE GRAND JURY FURTHER FINDS PROBABLE CAUSE THAT:

The defendant, RAFFERTY DANIEL KELLY, is hereby notified, pursuant to Federal Rule of Criminal Procedure 32.2(a), that upon conviction of Counts One or Two of this Indictment, he shall forfeit to the United States, pursuant to 18 U.S.C. § 2253(a): (1) any and all matters that contain visual depictions of minors engaged in sexually explicit conduct in violation of the charged offenses; (2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and (3) any property, real or personal, used or intended to be used to commit or promote the commission of such offenses or property traceable to such property.

The property subject to forfeiture includes, but is not limited to, the following: a 4 TB Western Digital hard disk drive, serial number WCC7K2LND002; a 4 TB Seagate hard disk drive, serial number S3013T4A; and a 128 GB Samsung solid state drive, serial number S12PNEACC30448V.

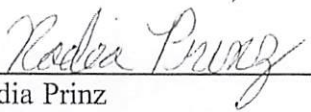
If any property subject to forfeiture is unavailable, the United States may seek an order forfeiting substitute assets pursuant to Title 21, U.S. Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).

(Pursuant to Title 18, United States Code, Section 2253; Title 21, United States Code, Section 853(p); and Federal Rule of Criminal Procedure 32.2.)

A TRUE BILL E-Government Act.,
The original of this page has been filed
under seal in the Clerk's Office

Foreperson of the Grand Jury

JESSICA D. ABER
UNITED STATES ATTORNEY



Nadia Prinz
Special Assistant United States Attorney (LT)